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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,830	09/21/2000	Paavo Hyvarinen	1313/1G310-U	2592

7590 05/01/2002
Darby & Darby
805 Third Avenue
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EXAMINER

TAWFIK, SAMEH

ART UNIT PAPER NUMBER

3721

DATE MAILED: 05/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,830

Applicant(s)

HYVARINEN ET AL.

Examiner

Sameh H. Tawfik

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 12-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: .

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement filed 2/12/2001 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. The applicants need to provide copy of the foreign patents in order to be considered, the examiner has been considered the US patents.

Specification

This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.

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- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The disclosure is objected to because of the following informalities: the applicants need to insert headings for example "BACKGROUND OF THE INVENTION", "BRIEF SUMMARY OF THE INVENTION"; etc.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 19, 21, 23, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Shore et al. (3,729,367).

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Shore discloses a package for packaging a web formed of two or more narrower webs, the package comprising two or more side by side stacks of superimposed web layers formed by folding the web (Fig. 1); the ends of the two or more narrower webs in the stacks are joined together so that the two or more narrower webs form a continuous whole whose length corresponds to a combined length of the two or more narrower webs, see for example (Figs. 1 and 2; claim 1, lines 3-6).

Regarding claim 21: the forward and tail ends of the two or more narrower webs are joined together in pairs, see for example (Figs. 1, 2, 5, and 6).

Regarding claim 23: a solid outer casing (20) disposed about the two or more side by side stacks.

Regarding claim 25: the forward and tail ends of the joined continuous web are disposed outside of the solid outer casing (Fig. 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shore et al. (3,729,367).

Shore does not disclose exactly that the two or more narrower webs are joined together by joining a forward/tail end of an outermost web to a forward/tail end of next adjacent web by sewing, taping, gluing, ...etc. However, it would have been an obvious matter of design choice

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to have modified Shore's web by having the two or more narrower webs are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web by sewing, taping, gluing,...etc., since applicant has not disclosed that the two or more narrower webs are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web by sewing, taping, gluing,...etc solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with having the webs sub-divided by longitudinally extending as disclosed by Shore (Figs. 1, 5, and 6).

Regarding claim 24: Shore does not disclose that the solid outer casing is formed of one of corrugated cardboard and plastic film. However, it would have been an obvious matter of design choice to have modified Shore's web by having the solid outer casing is formed of one of corrugated cardboard and plastic film, since applicant has not disclosed that the solid outer casing is formed of one of corrugated cardboard and plastic film solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with having plastic bag as suggested by Shore.

Claims 12 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shore et al. (3,729,367) in view of Gebhardt (5,205,808).

Shore discloses a method of packaging a web comprising slitting the web into two or more narrower webs (Figs. 1 and 5; via 44); folding the two or more narrower webs into superimposed layers (Figs. 1 and 4); the two or more narrower webs to move with the first and second rotating reels a length of a predetermined rotational angle to provide folding of the narrower webs by holding the two or more narrower webs alternatively against surfaces of the first and second rotating reels (Fig. 4, via 56); and joining ends of the webs together (Fig. 1).

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Shore does not disclose the step of directing the two or more narrower webs to a nip formed by first and second rotating reels. However, Gebhardt discloses a method of packaging a web comprising the step of directing the web to a nip formed by first and second rotating reels and at least one of the mechanical gripper projection extending outwardly (Fig. 2 via 38 and Fig. 5) to interfold the bags ^{to achieve stronger & sharper folds} (column 3, lines 23 and 24).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Shore's method of packaging a web by having the step of directing the two or more narrower webs to a nip formed by first and second rotating reels, as suggested by Gebhardt, in order to interfold the bags or webs.

Regarding claim 15: Shore discloses that holding the two or more narrower webs against the surfaces of the first and second rotating reels, see for example (Fig. 4, via 56).

Regarding claims 13, 14 and 18: Shore does not disclose exactly that the two or more narrower webs are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web by sewing, taping, gluing,...etc. However, it would have been an obvious matter of design choice to have modified Shore's web by having the two or more narrower webs are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web by sewing, taping, gluing,...etc., since applicant has not disclosed that the two or more narrower webs are joined together by joining a forward/tall end of an outermost web to a forward/tall end of next adjacent web by sewing, taping, gluing,...etc solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with having the webs sub-divided by longitudinally extending as disclosed by Shore (Figs. 1, 5, and 6).

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hathaway 4721295 disclose method of packaging webs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is (703) 308-2809. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rada, Rinaldi can be reached on (703) 308-2187. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 308-7769 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

ST.
April 23, 2002



Rinaldi I. Rada
Supervisory Patent Examiner
Group 3700